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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

Grant M. Saxena,

Plaintiff,

vs.

Martinez-Hernandez, et., al,

Defendants.

Civil Action No.: 2:22-cv-02126-CDS-BMW

Lloyd D George Courthouse

333 S Las Vegas Blvd, Las Vegas, NV 89101

05/19//2023

MOTION TO ENLARGE TIME TO

SERVE SUMMONS

**MOTION TO ENLARGE TIME TO SERVE SUMMONS**

**NOW COMES the Plaintiff, Dr. Grant M. Saxena, appearing Pro Se and motions the Court to kindly allow thirty (30) additional days to serve the summons in the Civil Action:**  
1-22-cv-02126CDS-BNW.

Very Respectfully Submitted,

/s/ Dr. Grant Saxena

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Dr. Grant Mitchell Saxena

Dated this 19th day of May2023

275 New North Road, #2051

London, N1 7AA

303-941-8772

[grant.saxena25@law.ac.uk](mailto:grant.saxena25@law.ac.uk) /s/

**MEMORANDUM OF POINTS AND AUTHORITY**

1. On 12/21/2022, Plaintiff filed the complaint through  
lv\_public\_docketing@nvd.uscourts.gov.
2. On 1/21/2023, the Plaintiff mailed the \$402.00 filing fee in a money order through  
USPS certified mail tracking ID: 70220410000158486446.
3. On 03/01/2023 the court granted the motion for order to issue the summons.
4. The Nye County Sheriff Office accepted service of the summons in May of 2023 and  
has not returned the waivers.

**LAW**

Rule 6. Computing and Extending Time; Time for Motion Papers

- (a) Computing Time. The following rules apply in computing any time period specified in these rules, in any local  
rule or court order, or in any statute that does not specify a method of computing time.
  - (1) Period Stated in Days or a Longer Unit. When the period is stated in days or a longer unit of time:
    - (A) exclude the day of the event that triggers the period;
    - (B) count every day, including intermediate Saturdays, Sundays, and legal holidays; and
    - (C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues  
to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

1 (2) Period Stated in Hours. When the period is stated in hours:

2 (A) begin counting immediately on the occurrence of the event that triggers the period;

3 (B) count every hour, including hours during intermediate Saturdays, Sundays, and legal holidays; and

4 (C) if the period would end on a Saturday, Sunday, or legal holiday, the period continues to run until the same time  
5 on the next day that is not a Saturday, Sunday, or legal holiday.

6 (3) Inaccessibility of the Clerk's Office. Unless the court orders otherwise, if the clerk's office is inaccessible:

7 (A) on the last day for filing under [Rule 6\(a\)\(1\)](#), then the time for filing is extended to the first accessible day that is  
8 not a Saturday, Sunday, or legal holiday; or

9 (B) during the last hour for filing under [Rule 6\(a\)\(2\)](#), then the time for filing is extended to the same time on the first  
10 accessible day that is not a Saturday, Sunday, or legal holiday.

11 (4) "Last Day" Defined. Unless a different time is set by a statute, local rule, or court order, the last day ends:

12 (A) for electronic filing, at midnight in the court's time zone; and

13 (B) for filing by other means, when the clerk's office is scheduled to close.

14 (5) "Next Day" Defined. The "next day" is determined by continuing to count forward when the period is measured  
15 after an event and backward when measured before an event.

16 (6) "Legal Holiday" Defined. "Legal holiday" means:

17 (A) the day set aside by statute for observing New Year's Day, Martin Luther King Jr.'s Birthday, Washington's  
18 Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day,  
19 or Christmas Day;

20 (B) any day declared a holiday by the President or Congress; and

21 (C) for periods that are measured after an event, any other day declared a holiday by the state where the district court  
22 is located.

23 (b) Extending Time.

24 (1) In General. When an act may or must be done within a specified time, the court may, for good cause, extend the  
25 time:

26 (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension  
27 expires; or  
28

(B) on motion made after the time has expired if the party failed to act because of excusable neglect.

(2) Exceptions. A court must not extend the time to act under Rules [50\(b\)](#) and [\(d\)](#), [52\(b\)](#), [59\(b\)](#), (d), and (e), and [60\(b\)](#).

### **CONCLUSION**

5. Plaintiff needs an additional thirty (30) days to procure a private process server due to a lapse of time to receive the summons, the lack of the governmental agency to waive service, and also refusal to serve their own employees due to clear retaliation against the Plaintiff.

### **PRAYER FOR RELIEF**

6. I request the Court to please grant the motion to enlarge time for serving the summons by at least thirty (30) days, pursuant to Fed. R. Civ. P. (6)(b)(1)(A).

Very Respectfully Requested,

/s/ Dr. Grant M. Saxena

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Doctor Grant Mitchell Saxena

Dated this 19th day of May 2023

275 New North Road, #2051, London, N1 7AA

+1-303-941-8772

[grant.saxena25@law.ac.uk](mailto:grant.saxena25@law.ac.uk) /s/

**IT IS SO ORDERED**

**DATED:** 2:50 pm, May 23, 2023



**BRENDA WEKSLER**  
**UNITED STATES MAGISTRATE JUDGE**